

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2489

To reauthorize the Ryan White CARE Act of 1990, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 12), 1994

Mr. KENNEDY (for himself, Mr. HATCH, Mr. AKAKA, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BRADLEY, Mr. BREAUX, Mr. BRYAN, Mr. BUMPERS, Mr. CAMPBELL, Mr. CHAFEE, Mr. D'AMATO, Mr. DASCHLE, Mr. DeCONCINI, Mr. DODD, Mr. DURENBERGER, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GLENN, Mr. GRAHAM, Mr. HARKIN, Mr. HATFIELD, Mr. INOUE, Mr. JEFFORDS, Mr. KERRY, Mr. KOHL, Mr. LEAHY, Mr. LIEBERMAN, Mr. MACK, Mr. METZENBAUM, Ms. MIKULSKI, Mr. MITCHELL, Ms. MOSELEY-BRAUN, Mr. MOYNIHAN, Mrs. MURRAY, Mr. PACKWOOD, Mr. PELL, Mr. PRYOR, Mr. REID, Mr. RIEGLE, Mr. ROBB, Mr. SARBANES, Mr. SIMON, Mr. SPECTER, Mr. WELLSTONE, and Mr. WOFFORD) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

To reauthorize the Ryan White CARE Act of 1990, and  
for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Ryan White CARE  
5   Reauthorization Act of 1994”.

1 **SEC. 2. REFERENCES.**

2 Whenever in this Act an amendment is expressed in  
3 terms of an amendment to a section or other provision,  
4 the reference shall be considered to be made to a section  
5 or other provision of title XXVI of the Public Health Serv-  
6 ice Act (42 U.S.C. 300ff et seq.).

7 **SEC. 3. AMENDMENTS.**

8 (a) ESTABLISHMENT OF GRANT PROGRAM.—Section  
9 2601 (42 U.S.C. 300ff–11) is amended by adding at the  
10 end thereof the following new subsection:

11 “(c) POPULATION OF ELIGIBLE AREAS.—The Sec-  
12 retary may not make a grant to an eligible area under  
13 subsection (a) after the date of enactment of this sub-  
14 section unless the area has a population of at least  
15 500,000 individuals, except that this subsection shall not  
16 apply to areas that are eligible as of March 31, 1994. For  
17 purposes of eligibility under this title, the boundaries of  
18 each metropolitan area shall be those in effect in fiscal  
19 year 1994.”.

20 (b) EMERGENCY RELIEF FOR AREAS WITH SUB-  
21 STANTIAL NEED FOR SERVICES.—

22 (1) HEALTH SERVICES PLANNING COUNCIL.—

23 Subsection (b) of section 2602 (42 U.S.C. 300ff–  
24 12(b)) is amended—

25 (A) in paragraph (1), by striking “include”  
26 and all that follows through the end thereof,

1 and inserting “be reflective of the demographics  
2 of the HIV epidemic in the eligible area in-  
3 volved, with particular consideration given to  
4 disproportionately affected and historically un-  
5 derserved groups.”;

6 (B) in paragraph (2), by adding at the end  
7 thereof the following new subparagraph:

8 “(C) CHAIRPERSON.—A planning council  
9 may not be chaired solely by an employee of the  
10 grantee.”;

11 (C) in paragraph (3)—

12 (i) by striking “and” at the end of  
13 subparagraph (B);

14 (ii) by striking the period at the end  
15 of subparagraph (C) and inserting “, and  
16 at the discretion of the planning council,  
17 assess the effectiveness, either directly or  
18 through contractual arrangements, of the  
19 services offered in meeting the identified  
20 needs; and”;

21 (iii) by adding at the end thereof the  
22 following new subparagraph:

23 “(D) participate in the development of the  
24 Statewide coordinated statement of need initi-  
25 ated by the State health department.”;

1 (D) by redesignating paragraphs (2) and  
2 (3) as paragraphs (3) and (4), respectively; and  
3 (E) by inserting after paragraph (1), the  
4 following new paragraph:

5 “(2) REPRESENTATION.—The HIV health serv-  
6 ices planning council shall include representatives  
7 of—

8 “(A) health care providers, including feder-  
9 ally qualified health centers;

10 “(B) community-based organizations serv-  
11 ing affected populations and AIDS service orga-  
12 nizations;

13 “(C) social service providers;

14 “(D) mental health and substance abuse  
15 providers;

16 “(E) local public health agencies;

17 “(F) hospital planning agencies or health  
18 care planning agencies;

19 “(G) affected communities, including peo-  
20 ple of color, women, and gay and bisexual men;

21 “(H) individuals with HIV or AIDS;

22 “(I) nonelected community leaders;

23 “(J) State government (including the State  
24 medicaid agency);

25 “(K) grantees under subpart II of part C;

“(L) grantees under section 2671, or, if none are operating in the area, pediatric, youth, and women’s service organizations operating in the area; and

“(M) grantees under other Federal HIV programs.”.

(2) DISTRIBUTION OF GRANTS.—Section 2603 (42 U.S.C. 300ff-13) is amended—

(A) in subsection (a)—

(i) in paragraph (2)—

(I) by striking “Not later than—” and all that follows through “the Secretary shall” and inserting the following: “Not later than 60 days after an appropriation becomes available to carry out this part for each of the fiscal years 1996 through 2000, the Secretary shall”; and

(II) by inserting “or the provisions of subsection (a)(3)(D)” after “section 2605(c)”;

(ii) in paragraph (3)(A)(ii)—

(I) by striking “product of 3” in subclause (I), and inserting “product of 9”; and

1 (II) by striking “equal to the  
2 product” in subclause (II), and insert-  
3 ing “amount equal to twice the prod-  
4 uct”;

5 (iii) in paragraph (3)(B)(i), by strik-  
6 ing “cumulative number of cases” and in-  
7 serting “for the 10 years prior to the fiscal  
8 year in question”;

9 (iv) in paragraph (3)(C)—

10 (I) by striking “cumulative  
11 cases” in clause (i), and inserting  
12 “the number of cases reported and  
13 confirmed for the 10 years prior to  
14 the fiscal year in question”; and

15 (II) by striking “cumulative such  
16 cases” in clause (ii), and inserting  
17 “the number of cases reported and  
18 confirmed for the 10 years prior to  
19 the fiscal year in question”; and

20 (v) by adding at the end of paragraph  
21 (3), the following new subparagraph:

22 “(D) MINIMUM AMOUNT.—No eligible area  
23 shall receive an amount less than that awarded  
24 under subsection (a) to such area in fiscal year  
25 1995, except for cause, as determined by the

1 Secretary based on a finding of fraud or an  
2 egregious violation by the grantee of the provi-  
3 sions of this Act.”; and

4 (B) in subsection (b)(1)—

5 (i) by striking “and” at the end of  
6 subparagraph (D);

7 (ii) by striking the period at the end  
8 of subparagraph (E) and inserting a semi-  
9 colon; and

10 (iii) by adding at the end thereof the  
11 following new subparagraphs:

12 “(F) demonstrates the inclusiveness of the  
13 planning council membership, with particular  
14 emphasis on affected communities and individ-  
15 uals with HIV disease; and

16 “(G) demonstrates the manner in which  
17 the proposed services are consistent with the  
18 Statewide coordinated statement of need.”.

19 (3) USE OF AMOUNTS.—Section 2604 (42  
20 U.S.C. 300ff-14) is amended—

21 (A) in subsection (b)(1)(A), by inserting  
22 “treatment education and prophylactic treat-  
23 ment for opportunistic infections,” after “treat-  
24 ment services,”; and

1 (B) in subsection (e) by striking “report-  
2 ing, and program oversight functions” and in-  
3 serting “reporting, and the assessment of pro-  
4 gram effectiveness”.

5 (4) APPLICATION.—Section 2605(a) (42 U.S.C.  
6 300ff-15(a)) is amended—

7 (A) in paragraph (1)(B), by striking “1-  
8 year period” and all that follows through “eligi-  
9 ble area” and inserting “preceding fiscal year”;

10 (B) in paragraph (4), by striking “and” at  
11 the end thereof;

12 (C) in paragraph (5), by striking the pe-  
13 riod at the end thereof and inserting “; and”;  
14 and

15 (D) by adding at the end thereof the fol-  
16 lowing new paragraph:

17 “(6) that the applicant has participated, or will  
18 agree to participate, in the Statewide coordinated  
19 statement of need process where it has been initiated  
20 by the State, and ensure that the services provided  
21 under the comprehensive plan are consistent with  
22 the Statewide coordinated statement of need.”.

23 (5) TECHNICAL ASSISTANCE.—Section 2606  
24 (42 U.S.C. 300ff-16) is amended—



1 (A) by striking “may” and inserting  
2 “shall”;

3 (B) by inserting after “technical assist-  
4 ance” the following: “, including peer based as-  
5 sistance to assist newly eligible metropolitan  
6 areas in the establishment of HIV health serv-  
7 ices planning councils and,”; and

8 (C) by adding at the end thereof the fol-  
9 lowing new sentences: “The Administrator may  
10 make planning grants available to metropolitan  
11 areas projected to be eligible for funding under  
12 section 2601 in the following fiscal year. Not to  
13 exceed 1 percent of the amount appropriated  
14 for a fiscal year under section 2608 may be  
15 used to carry out this section.”.

16 (6) AUTHORIZATION OF APPROPRIATIONS.—  
17 Section 2608 (42 U.S.C. 300ff-18) is amended by  
18 striking “\$275,000,000” and all that follows  
19 through the end of the section, and inserting “such  
20 sums as may be necessary in each of the fiscal years  
21 1996, 1997, 1998, 1999, and 2000.”.

22 (b) CARE GRANT PROGRAM.—

23 (1) INFANTS AND WOMEN.—Subsection (b) of  
24 section 2612 (42 U.S.C. 300ff-22) is amended to  
25 read as follows:

1       “(b) INFANTS AND WOMEN.—For each State in  
 2       which the infants, children, adolescents, and women com-  
 3       prise greater than 10 percent of the AIDS cases reported  
 4       to and confirmed by the Centers for Disease Control and  
 5       Prevention for the 2 most recent fiscal years in such State,  
 6       not less than 15 percent of funds allocated under this part  
 7       shall be used to provide health and support services to in-  
 8       fants, children, women, and families with HIV disease.  
 9       With respect to a State in which infants, children, youth,  
 10      and women comprise less than 10 percent of AIDS cases  
 11      reported to and confirmed by the Centers for Disease Con-  
 12      trol and Prevention for the 2 most recent fiscal years in  
 13      such State, planning activities under part B in such State  
 14      shall assess unmet needs and address the service needs  
 15      of such populations in their applications.”.

16               (2) HIV CARE CONSORTIA.—Section 2613 (42  
 17      U.S.C. 300ff-23) is amended—

18                   (A) in subsection (a)(2)(A), by inserting  
 19                   “prophylactic treatment for opportunistic infec-  
 20                   tions, treatment education,” after “monitor-  
 21                   ing,”;

22                   (B) in subsection (c)—

23                           (i) in subparagraph (C) of paragraph  
 24                           (1), by inserting before “care” “and youth  
 25                           centered”; and

1 (ii) in paragraph (2)—

2 (I) in clause (ii) of subparagraph  
3 (A), by striking “served; and” and in-  
4 serting “served;”;

5 (II) in subparagraph (B), by  
6 striking the period at the end and in-  
7 serting “; and”; and

8 (III) by adding after subpara-  
9 graph (B), the following new subpara-  
10 graph:

11 “(C) representatives of organizations with  
12 a history of serving children, youth, and women  
13 and operating in the community to be served.”;  
14 and

15 (C) in subsection (d) to read as follows:

16 “(d) DEFINITION.—As used in this part, the terms  
17 ‘family centered care’ and ‘youth centered care’ mean the  
18 system of services described in this section that is targeted  
19 specifically to the special needs of infants, children (in-  
20 cluding those orphaned by the AIDS epidemic), youth,  
21 women, and families. Family centered and youth centered  
22 care shall be based on a partnership among parents, ex-  
23 tended family members, children and youth, professionals,  
24 and the community designed to ensure an integrated, co-

1   ordinated, culturally sensitive, and community-based con-  
2   tinuum of care.”.

3           (3) PROVISION OF TREATMENTS.—Section 2616  
4       (42 U.S.C. 300ff–26) is amended by striking sub-  
5       section (c) and inserting the following new sub-  
6       sections:

7       “(c) STANDARDS FOR TREATMENT PROGRAMS.—In  
8   carrying out this section, the Secretary shall—

9           “(1) review the current status of State drug re-  
10      imbursement programs and assess barriers to the  
11      expended availability of prophylactic treatments for  
12      opportunistic infections (including active tuber-  
13      culosis); and

14          “(2) establish, in consultation with States, pro-  
15      viders, and affected communities, a recommended  
16      minimum formulary .

17   In carrying out paragraph (2), the Secretary shall identify  
18   those treatments in the recommended minimum formulary  
19   that are for the prevention of opportunistic infections (in-  
20   cluding the prevention of active tuberculosis).

21       “(d) STATE DUTIES.—

22          “(1) IN GENERAL.—In implementing subsection  
23      (a), States shall document the progress made in  
24      making treatments described in subsection (c)(2)  
25      available to individuals eligible for assistance under

1       this section, and to develop plans to implement fully  
2       the recommended minimum formulary.

3           “(2) OTHER MECHANISMS FOR PROVIDING  
4       TREATMENTS.—In meeting the standards of the rec-  
5       ommended minimum formulary developed under sub-  
6       section (c), a State may identify other mechanisms  
7       such as consortia and public programs for providing  
8       such treatments to individuals with HIV.”.

9           (4) STATE APPLICATION.—Section 2617(b) (42  
10       U.S.C. 300ff-27(b)) is amended—

11           (A) in paragraph (2)—

12               (i) in subparagraph (A), by striking  
13               “and” at the end thereof; and

14               (ii) by adding at the end thereof the  
15               following new subparagraph:

16               “(C) a description of how the allocation  
17               and utilization of resources are consistent with  
18               the Statewide coordinated statement of need  
19               (including the needs of children, adolescents,  
20               and women) developed in partnership with other  
21               grantees in the State that receive funding under  
22               this title;”;

23           (B) by redesignating paragraph (3) as  
24       paragraph (4); and

1 (C) by inserting after paragraph (2), the  
2 following new paragraph:

3 “(3) the public health agency administering the  
4 grant for the State shall convene a meeting at least  
5 annually of representatives of grantees funded under  
6 this title (including HIV health services planning  
7 councils, early intervention programs, children,  
8 youth and family service projects, special projects of  
9 national significance, and HIV care consortia) and  
10 other providers (including federally qualified health  
11 centers) and public agency representatives within the  
12 State currently delivering HIV services to affected  
13 communities for the purpose of developing a State-  
14 wide coordinated statement of need. The State shall  
15 not be required to finance attendance at such meet-  
16 ings.”.

17 (5) DISTRIBUTION OF FUNDS.—Section 2618  
18 (42 U.S.C. 300ff-28) is amended—

19 (A) by striking subsection (a);

20 (B) by redesignating subsections (b), (c),  
21 (d), and (e) as subsections (a), (b), (c), and (d),  
22 respectively;

23 (C) by amending subsection (a), as so re-  
24 designated, to read as follows:

25 “(a) AMOUNT OF GRANT.—

1 “(1) MINIMUM ALLOTMENT.—

2 “(A) IN GENERAL.—Subject to the amount  
3 made available pursuant to section 2620, the  
4 amount of a grant to be made under this part  
5 for each of the 50 States, the District of Co-  
6 lumbia, and Puerto Rico, shall be the greater  
7 of—

8 “(i) \$250,000; and

9 “(ii) an amount determined under  
10 paragraph (2).

11 “(B) VIRGIN ISLANDS.—The United States  
12 Virgin Islands shall be eligible for an allotment  
13 under subparagraph (A) if the Secretary cer-  
14 tifies that the Virgin Islands has a program in  
15 place to effectively utilize additional resources  
16 provided under such allotment.

17 “(C) SUPPLEMENTAL ENHANCEMENT  
18 GRANTS.—

19 “(i) IN GENERAL.—The Secretary  
20 shall award supplemental grants to eligible  
21 entities to enhance community-based care,  
22 treatment, and supportive services through  
23 the development and operation of consortia  
24 and innovative approaches.

1           “(ii) ELIGIBILITY.—A State shall be  
2 eligible for—

3           “(I) a tier I supplemental grant  
4 in the amount of \$500,000 if the  
5 number of AIDS cases (in the State)  
6 reported to and confirmed by the Cen-  
7 ters for Disease Control and Preven-  
8 tion total not less than 1500 cases for  
9 the 10 years prior to the fiscal year  
10 for which the grant is to be awarded  
11 and the State does not contain a met-  
12 ropolitan area whose chief elected offi-  
13 cial is a grantee for funding under  
14 part A; or

15           “(II) a tier II supplemental grant  
16 in the amount of \$250,000 if the  
17 number of AIDS cases (in the State)  
18 reported to and confirmed by the Cen-  
19 ters for Disease Control and Preven-  
20 tion total less than 1500 cases for the  
21 10 years prior to the fiscal year for  
22 which the grant is to be awarded and  
23 the State does not contain a metro-  
24 politan area whose chief elected offi-  
25 cial is a grantee under part A and



1           whose formula grant exceeds the mini-  
2           mum allotment described in subpara-  
3           graph (A)(i).

4           “(iii) REDUCTION.—A State that re-  
5           ceives a grant under clause (ii)(I), or  
6           which would have been eligible to receive  
7           such a grant in fiscal year 1995, that sub-  
8           sequently contains a metropolitan area  
9           that becomes eligible for funding under  
10          part A, shall be subject to a 2-year phased  
11          reduction in the amount of the grant under  
12          clause (ii)(I) as follows:

13                 “(I) With respect to the first  
14                 year in which the metropolitan area  
15                 receives funds under part A, the State  
16                 would receive \$500,000 under clause  
17                 (ii)(I).

18                 “(II) With respect to the second  
19                 year in which the metropolitan area  
20                 receives funds under part A, the State  
21                 would receive \$250,000 under clause  
22                 (ii)(I).

23                 “(III) The State would not be eli-  
24                 gible for funds under this subpara-

1 graph in years subsequent to the year  
2 described in subclause (II).

3 “(iv) TERMS.—All terms and condi-  
4 tions contained under subsections (b) and  
5 (c) of section 2617 shall apply to funds re-  
6 ceived under this subsection.

7 “(2) DETERMINATION.—

8 “(A) FORMULA.—The amount referred to  
9 in paragraph (1)(A) shall be the product of—

10 “(i) an amount equal to the amount  
11 appropriated under section 2620 for the  
12 fiscal year involved less the amount needed  
13 to carry out subparagraph (B); and

14 “(ii) the ratio of the distribution fac-  
15 tor for the State or territory to the sum of  
16 the distribution factors for all the States  
17 or territories.

18 “(B) DISTRIBUTION FACTOR.—As used in  
19 subparagraph (A), the term ‘distribution factor’  
20 means the product of—

21 “(i) the number of cases of acquired  
22 immune deficiency syndrome in the State  
23 or territory, as indicated by the number of  
24 cases reported to and confirmed by the  
25 Centers for Disease Control and Preven-

tion for the 2 most recent fiscal years for  
which such data are available; and

“(ii) the cube root of the ratio (based  
on the most recent available data) of—

“(I) the average per capita in-  
come of individuals in the United  
States (including territories); to

“(II) the average per capita in-  
come of individuals in the State or  
territory.”;

(D) in subsection (b), as so redesignated—

(i) by amending paragraphs (3) and  
(4) to read as follows:

“(3) PLANNING AND EVALUATIONS.—Subject to  
paragraph (5), a State may not use more than 10  
percent of amounts received under a grant awarded  
under this part for planning and evaluation activi-  
ties.

“(4) ADMINISTRATION.—Subject to paragraph  
(5), a State may not use more than 10 percent of  
amounts received under a grant awarded under this  
part for administration, accounting, reporting, and  
program oversight functions.”;

(ii) by redesignating paragraph (5) as  
paragraph (6); and

1 (iii) by inserting after paragraph (4),  
2 the following new paragraph (5):

3 “(5) LIMITATION ON USE OF FUNDS.—A State  
4 may not use more than a total of 15 percent of  
5 amounts received under a grant awarded under this  
6 part for the purposes described in paragraphs (3)  
7 and (4).”

8 (6) TECHNICAL ASSISTANCE.—Section 2619  
9 (42 U.S.C. 300ff-29) is amended—

10 (A) by striking “may” and inserting  
11 “shall”; and

12 (B) by inserting before the period the fol-  
13 lowing: “, including technical assistance for the  
14 development and implementation of Statewide  
15 coordinated statements of need”.

16 (7) AUTHORIZATION OF APPROPRIATIONS.—  
17 Section 2620 (42 U.S.C. 300ff-30), by striking  
18 “\$275,000,000” and all that follows through the end  
19 of the section, and inserting “such sums as may be  
20 necessary in each of the fiscal years 1996, 1997,  
21 1998, 1999, and 2000.”.

22 (8) GRIEVANCE PROCEDURES AND COORDINA-  
23 TION.—Part B of title XXVI (42 U.S.C. 300ff-21)  
24 is amended by adding at the end thereof the follow-  
25 ing new sections:

1   **“SEC. 2621. GRIEVANCE PROCEDURES.**

2           “Not later than 90 days after the date of enactment  
3 of this section, the Administration, in consultation with  
4 affected parties, shall establish grievance procedures, spe-  
5 cific to each part of this title, to address allegations of  
6 egregious violations of each such part or the intent of the  
7 provisions of each such part. Such procedures shall include  
8 an appropriate enforcement mechanism.

9   **“SEC. 2622. COORDINATION.**

10          “The Secretary shall ensure that the Health Re-  
11 sources and Services Administration, the Centers for Dis-  
12 ease Control and Prevention, and the Substance Abuse  
13 and Mental Health Services Administration coordinate the  
14 planning and implementation of Federal HIV programs  
15 in order to facilitate the development of a complete contin-  
16 uum of HIV-related services for individuals with HIV dis-  
17 ease and those at risk of such disease. The Secretary shall  
18 periodically prepare and submit to the relevant committees  
19 of Congress a report concerning such coordination efforts  
20 at the Federal, State, and local levels as well as the exist-  
21 ence of Federal barriers to HIV program integration.”.

22          (c) EARLY INTERVENTION SERVICES.—

23               (1) AUTHORIZATION OF APPROPRIATIONS.—

24          Section 2655 (42 U.S.C. 300ff–55) is amended by  
25          striking “\$75,000,000” and all that follows through  
26          the end of the section, and inserting “such sums as

1       may be necessary in each of the fiscal years 1996,  
2       1997, 1998, 1999, and 2000.”.

3               (2) REQUIRED AGREEMENTS.—Section 2664(g)  
4       (42 U.S.C. 300ff-64(g)) is amended—

5               (A) in paragraph (2), by striking “and” at  
6       the end thereof;

7               (B) in paragraph (3)—

8                       (i) by striking “5 percent” and insert-  
9                       ing “10 percent including planning, evalua-  
10                      tion and technical assistance”; and

11                     (ii) by striking the period and insert-  
12                     ing “; and”; and

13               (C) by adding at the end thereof the fol-  
14       lowing new paragraph:

15               “(4) the applicant will submit evidence that the  
16       proposed program is consistent with the Statewide  
17       coordinated statement of need and agree to partici-  
18       pate in the ongoing revision of such statement of  
19       need.”.

20               (d) GENERAL PROVISIONS.—Section 2671 (42  
21       U.S.C. 300ff-71) is amended—

22               (1) by amending the title to read as follows:

1 **“SEC. 2671. GRANTS FOR COORDINATED SERVICES AND AC-**  
2 **CESS TO RESEARCH FOR CHILDREN, YOUTH,**  
3 **WOMEN, AND FAMILIES.”;**

4 (2) in subsection (a)—

5 (A) by striking “demonstration”;

6 (B) by striking “and the Director” and in-  
7 serting “, in coordination with the Director”;

8 (C) by striking paragraph (1), and insert-  
9 ing the following new paragraph:

10 “(1) supporting, at the health facilities of such  
11 entities, access to and linkages with clinical research  
12 on therapies for pediatric patients, youth, and  
13 women with HIV disease, and special initiatives re-  
14 lated to clinical research and care findings;”;

15 (D) by amending paragraph (2) to read as  
16 follows:

17 “(2) providing and coordinating outpatient  
18 health care services and systems of care, directly or  
19 through contractual arrangements, to children,  
20 youth, and women and their families.”;

21 (3) in subsection (c)—

22 (A) in paragraph (1), to read as follows:

23 “(1) LINKAGES TO RESEARCH.—The Secretary  
24 may not make a grant to an applicant under sub-  
25 section (a) unless the applicant enters into an agree-  
26 ment with an appropriately qualified entity with ex-

1       pertise in biomedical or behavioral research to en-  
2       hance voluntary access to research.”; and

3               (B) in paragraph (2)—

4                   (i) by inserting after “through the”  
5                   the following: “Director of the Adminis-  
6                   trator of the Health Resources and Serv-  
7                   ices Administration, and in coordination  
8                   with the”;

9                   (ii) in subparagraph (A), by striking  
10                  “; and” and inserting a semicolon;

11                  (iii) in subparagraph (B), by striking  
12                  the period at the end and inserting “;  
13                  and”;

14                  (iv) by inserting after subparagraph  
15                  (B), the following new subparagraph:

16                  “(C) may provide training and technical  
17                  assistance including peer-based assistance  
18                  through the Health Resources and Services Ad-  
19                  ministration.”;

20               (4) in subsections (d), (e), and (f), by striking  
21               “pediatric patient” each place such term appears  
22               and inserting “children and youth”;

23               (5) in subsection (f), by inserting before the pe-  
24               riod the following: “, including coordination and ac-  
25               cess to child welfare services, support services, kin-



1 ship care services, and other appropriate services for  
 2 orphans of the AIDS epidemic.”;

3 (6) in subsection (h), to read as follows:

4 “(h) COORDINATION.—The Secretary may not make  
 5 a grant under subsection (c) unless the applicant submits  
 6 evidence that the proposed program is consistent with the  
 7 Statewide coordinated statement of need and the applicant  
 8 agrees to annually participate in the ongoing revision proc-  
 9 ess of such statement of need.”; and

10 (7) in subsection (j), by striking “\$20,000,000”  
 11 and all that follows through the end of the section,  
 12 and inserting “such sums as may be necessary in  
 13 each of the fiscal years 1996, 1997, 1998, 1999, and  
 14 2000.”.

15 (e) SPECIAL PROJECTS OF NATIONAL SIGNIFI-  
 16 CANCE.—Title XXVI is amended by adding at the end,  
 17 the following new part:

18 **“PART F—SPECIAL PROJECTS OF NATIONAL**

19 **SIGNIFICANCE**

20 **“SEC. 2701. SPECIAL PROJECTS OF NATIONAL SIGNIFI-**  
 21 **CANCE.**

22 “(a) IN GENERAL.—Of the amount appropriated  
 23 under each of parts A, B, and C of this title for each fiscal  
 24 year, the Secretary shall use the greater of \$20,000,000  
 25 or 3 percent of such amount appropriated under each such

1 part, but not to exceed \$25,000,000, to administer a spe-  
2 cial projects of national significance program to award di-  
3 rect grants to public and nonprofit private entities includ-  
4 ing community-based organizations to fund special pro-  
5 grams for the care and treatment of individuals with HIV  
6 disease.

7 “(b) GRANTS.—The Secretary shall award grants  
8 under subsection (a) based on—

9 “(1) the need to assess the effectiveness of a  
10 particular model for the care and treatment of indi-  
11 viduals with HIV disease;

12 “(2) the innovative nature of the proposed ac-  
13 tivity; and

14 “(3) the potential replicability of the proposed  
15 activity in other similar localities or nationally.

16 “(c) SPECIAL PROJECTS.—Special projects of na-  
17 tional significance may include the development and as-  
18 sessment of innovative service delivery models that are de-  
19 signed to—

20 “(1) address the needs of special populations;  
21 and

22 “(2) assist in the development of essential com-  
23 munity-based service delivery infrastructure.

24 “(d) SPECIAL POPULATIONS.—Special projects of na-  
25 tional significance may include the delivery of HIV health

1 care and support services to traditionally underserved pop-  
2 ulations including—

3 “(1) individuals and families with HIV disease  
4 living in rural communities;

5 “(2) adolescents with HIV disease;

6 “(3) Indian individuals and families with HIV  
7 disease;

8 “(4) homeless individuals and families with  
9 HIV disease;

10 “(5) hemophiliacs with HIV disease; and

11 “(6) incarcerated individuals with HIV disease.

12 “(e) SERVICE DEVELOPMENT GRANTS.—Special  
13 projects of national significance may include the develop-  
14 ment of model approaches to delivering HIV care and sup-  
15 port services including—

16 “(1) programs that support family-based care  
17 networks critical to the delivery of care in minority  
18 communities;

19 “(2) programs that build organizational capac-  
20 ity in disenfranchised communities;

21 “(3) programs designed to prepare AIDS serv-  
22 ice organizations and grantees under this title for  
23 operation within the changing health care environ-  
24 ment; and

1           “(4) programs designed to integrate the deliv-  
2           ery of mental health and substance abuse treatment  
3           with HIV services.

4           “(f) DISTRIBUTION OF FUNDS.—Fifty percent of the  
5           funds made available under this section shall be provided  
6           to geographic areas that are not eligible for funds under  
7           section 2603 except that existing grantees shall continue  
8           to receive funding for the length of the project period.

9           “(g) COORDINATION.—The Secretary may not make  
10          a grant under this section unless the applicant submits  
11          evidence that the proposed program is consistent with the  
12          Statewide coordinated statement of need, and the appli-  
13          cant agrees to participate in the ongoing revision process  
14          of such statement of need.

15          “(h) REPLICATION.—The Secretary shall make infor-  
16          mation concerning successful models developed under this  
17          part available to grantees under this title for the purpose  
18          of coordination, replication, and integration. To facilitate  
19          efforts under this subsection, the Secretary may provide  
20          for peer-based technical assistance from grantees funded  
21          under this part.”.

22   **SEC. 4. EFFECTIVE DATE.**

23          (a) IN GENERAL.—Except as provided in subsection  
24          (b), this Act, and the amendments made by this Act, shall  
25          become effective on October 1, 1995.

1       (b) ELIGIBLE AREAS.—The amendments made by  
2 subsections (a) and (b)(4)(A) of section 3 become effective  
3 on the date of enactment of this Act.

○

S 2489 IS——2

S 2489 IS——3